

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

April 24, 2006

CALL TO PODIUM:

Fred Felton, Assistant City Manager

RESPONSIBLE STAFF:

**Fred Felton,
Assistant City Manager
Rob Robinson,
Planner**

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
X	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

Update on Montgomery County's Proposed Greater Shady Grove Transportation Management District that would include portions of the City of Gaithersburg.

SUPPORTING BACKGROUND:

During the late 1990's, the City of Gaithersburg and the City of Rockville were involved in discussions with Montgomery County concerning the possibility of creating a Greater Shady Grove Transportation Management District (TMD); however, it did not come into fruition because a funding source was not agreed upon.

Montgomery County is now ready to move forward in creating the new Greater Shady Grove TMD, and the County Council will be voting on a resolution in the near future. For your review, I have attached the County's background material. Please note two important factors: 1) the County has not yet determined the funding source for this TMD and 2) the County acknowledges that they would not provide TMD services in Gaithersburg or Rockville unless Memorandums of Understanding were reached with the Municipalities on sharing the cost of this service.

Sandra L. Brecher, who is the Administrator of the Montgomery County Commuter Services Section, will be giving the Mayor and City Council a presentation discussing TMD's in general and the proposed Shady Grove TMD in particular.

Staff recommends that the Mayor and City Council consider this Work Session an educational opportunity on the proposal without discussing issues associated with cost sharing. If the Mayor and City Council believe participating in the TMD has merit, Staff will conduct research and develop a recommendation on funding at some point in the future.

DESIRED OUTCOME:

Receive presentation

AGENDA ITEM #3J
March 21, 2006
Action

MEMORANDUM

March 17, 2006

TO: County Council

FROM: Glenn Orlin, ^{GO}Deputy Council Staff Director

SUBJECT: **Action**—resolution to establish a Transportation Management District (TMD) in Greater Shady Grove

T&E Committee (and Council staff) recommendation: Approve the resolution as proposed by the Executive with a revised metes and bounds description (©10-16). A map showing the final boundaries is on ©17.

* * *

The staff of the Department of Public Works and Transportation prepared a draft resolution that would create a transportation management district in the greater Shady Grove area, as called for in the Final Draft Shady Grove Sector Plan. As submitted by the Executive, the resolution sets the boundary of the area, and authorizes that a TMD fee may be subsequently levied. The Executive's transmittal letter is on ©1-2, the draft resolution is on ©3-6, and a map showing the boundary of the proposed TMD is on ©7.

The only written testimony received at the Council's December 6 public hearing was from the Park and Planning Department (©8-9). Most of the comments pertained to steps to be taken subsequent to creating the TMD, and so they are not addressed here. However, Park and Planning staff did cite the need for some minor revisions to the boundary exhibited on ©7 in order for it to be consistent with recent subdivision activity. DPWT and M-NCPPC staffs brought a revised version to the T&E Committee's January 19 worksession and pointed out the modifications, which the Committee approved. Subsequent to the meeting the map and the metes-and-bounds description of the TMD were finalized.



Introduction

OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Douglas M. Duncan
County Executive

MEMORANDUM

October 4, 2005

TO: Thomas E. Perez, President, County Council

FROM: Douglas M. Duncan, County Executive

SUBJECT: Resolution to Establish a Transportation Management District (TMD)
in Greater Shady Grove

Transmitted for the Council's consideration is a resolution establishing a transportation management district (TMD) in Greater Shady Grove. In 1996, Council directed the creation of a TMD in the Shady Grove area as part of its Shady Grove Sectional Map Amendment process. M-NCPPC staff recommended the TMD boundaries follow those of the Shady Grove Study Area Master Plan of 1990 and include new development in Rockville and Gaithersburg. In more recent work on the Shady Grove Sector Plan it has become evident a TMD in this area is necessary to accomplish the ambitious but essential traffic mitigation efforts which underpin the proposed plan.

Authority for creation of the Greater Shady Grove TMD rests with Montgomery County Code (2004), as amended, sections 42A-20 through 30, which allows for establishment of TMDs in Metro station policy areas and surrounding areas served by them.

The Shady Grove Transitway Task Force was involved in discussions on formation of the TMD in mid-1997, as were the cities of Rockville and Gaithersburg and members of the business and civic communities. Public forums and briefings were held with the business community, civic representatives, and members of the general community to explain TMD purposes and operations and to apprise them of the progress in implementing the TMD for Shady Grove. Elected officials and appropriate staff from the County, and the cities of Gaithersburg and Rockville were also briefed on several occasions. Work on the Shady Grove TMD creation continued throughout the late 1990s until present, though Council requests to create and operate TMDs in Bethesda and Friendship Heights, passage and implementation of new legislative mandates for employers in all TMDs, and efforts to obtain outside funding for Shady Grove's multi-jurisdictional approach delayed finalization until this point.



Thomas Perez, President
Montgomery County Council
October 4, 2005
Page Two

County representatives have conducted extensive negotiations with the cities of Rockville and Gaithersburg with regard to formation of the TMD and the mechanisms for managing a multi-jurisdictional program, including operations and funding. The Resolution establishes the boundaries of the Greater Shady Grove TMD, which are proposed to include the Shady Grove Metro Station Policy Area as well as the Research & Development Village Policy Area and portions of the cities of Rockville and Gaithersburg.

It is intended that a Memorandum of Understanding (MOU) will be signed among the three parties setting forth the respective roles and responsibilities of each jurisdiction. However, TMD services will only be provided within the municipalities to the extent that costs of those services are paid either by the municipalities themselves or by the developments being served. The City of Rockville has indicated that it will participate. The City of Gaithersburg has not.

While I recognize that the Council wishes to consider this resolution during its deliberations on the Shady Grove Sector Plan, the County cannot estimate the fiscal impact of this resolution at this time. The cost of administering the TMD will depend on several factors that have not been finalized including: TMD mode-share/trip reduction goals, TMD employment and residential density, the type of services to be concentrated on residential developments in the TMD, and suitable approaches to monitoring and enforcement of TMD activities. Furthermore, funding sources for TMD activities have not yet been established or committed.

Should you require further information, please feel free to contact Bill Selby, Acting Chief, Division of Transit Services, at 240-777-5807.

DMD:slb

Enclosures

Resolution No. _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Executive and County Council

Subject: Establishment of a Transportation Management District in Greater Shady Grove with the Authority Given to Charge a Transportation Management Fee on New or Existing Development

Background

1. Montgomery County Code, 2004 as amended, sections 42A - 10 through 30 provides for transportation management in Metro Station Areas and authorizes the County to create Transportation Management Districts (TMDs). These provisions allow flexibility in terms of establishing boundaries to include Metro station planning areas, appointing advisory committees, reporting annual performance of TMDs, and financing of TMD activities.
2. Section 42A-22 of the Montgomery County Code provides that new development is important to stimulate the local economy and that focusing new development in highly transit serviceable areas is a County land use and economic development objective. Transportation demand management will help provide sufficient transportation capacity, reduce the demand for roads, promote traffic safety and pedestrian access, and help reduce vehicular emissions, energy consumption, and noise levels. Transportation demand management will also equitably allocate responsibility for reducing single-occupancy vehicle trips among government, employers, property owners, and the public.
3. In 1996, Council directed the creation of a TMD in the Shady Grove vicinity as part of its Shady Grove Sectional Map Amendment process. Planning Commission staff recommended TMD boundaries follow those of the Shady Grove Study Area Master Plan of 1990 and include new development in Rockville and Gaithersburg. These boundaries included the Shady Grove Metro Station Policy Area and the R & D Village Policy Area and major areas of commercial development. Planning Commission staff also recommended an initial program of services including carpool/vanpool matching, a

transportation demand management educational outreach program with employers and building owners, and monitoring. This resolution implements the Council's directive.

4. The Department of Public Works and Transportation (DPWT) conducted extensive background work for establishment of the Greater Shady Grove TMD. Public forums and briefings were held with the business community, civic representatives, and members of the general community to explain TMD purposes and operations and to apprise them of the progress in implementing the TMD for Shady Grove. Elected officials and appropriate staff from the County, and the cities of Gaithersburg and Rockville were also briefed on several occasions. Negotiations were conducted over an extended period of time with representatives of both municipalities regarding participation in the proposed TMD, including operational and funding mechanisms.
5. The Department of Public Works and Transportation (DPWT) may use a Transportation Management Organization (TMO) to assist it in providing services to implement transportation demand management. In addition to use of the fees authorized in this resolution, the Department may provide additional revenues from other sources to fund these services. The level of transportation management demand services in the Greater Shady Grove TMD will be provided in accordance with the amount of funds available to pay for the services. It is expected that as development, and corresponding revenues, in the TMD increase, the level of services provided will also increase.
6. While the cities of Gaithersburg and Rockville are included within the boundaries of the Greater Shady Grove TMD, their participation in the TMD is intended to be reflected in agreements with each municipality. TMD services will only be provided within the municipalities to the extent that they have entered into agreements with the County and paid their proportionate share of the costs of such services.
7. Montgomery County Code 2004, as amended, Section 42A-24 enables the Council to authorize use of traffic mitigation plans in a TMD. This resolution authorizes the Director of DPWT to require the submission of traffic mitigation plans.
8. DPWT and the Planning Board may jointly impose reasonable transportation demand management measures as conditions on the Board's approval of development in the Greater Shady Grove TMD. These measures can include the requirement of traffic mitigation agreements in accordance with Chapter 42A of the County Code.
9. The TMO must annually monitor transportation demand management in the Greater Shady Grove TMD. A biennial report must be submitted by the TMO to the Director of DPWT by December 1 of each even-numbered year. The Director of DPWT must transmit the report to the Executive, the Greater Shady Grove Transportation Management Advisory Committee, and the Planning Board pursuant to Sector 42A-27 of the County Code, 2004, as amended. The Director of DPWT may recommend to the Executive corrective action if any peak period (the three hours of highest transportation use in the morning and evening) commuting goals set forth in the Annual Growth Policy are not met within a reasonable period of time after the establishment of the TMD.

Action

The County Council for Montgomery County, Maryland, approves the following resolution:

1. Under Chapter 42A-23 of the Montgomery County Code, 2004 as amended, the Greater Shady Grove Transportation Management District (TMD) is established. Its boundaries include the Shady Grove Metro Station Policy Area as well as the R&D Village Policy area and portions of the cities of Rockville and Gaithersburg. Boundary lines are defined on Attachment A of this resolution.
2. Pursuant to Section 42A-29(a)(1) and (2) of the Code, the Department of Public Works and Transportation (DPWT) is hereby authorized to charge a Transportation Management Fee in the Greater Shady Grove TMD to:
 - all applicants who file an application for subdivision or optional method development approval in the Greater Shady Grove TMD under the Alternative Review Procedures in the Annual Growth Policy, and each successor in interest; and
 - all applicants for subdivision or optional method development approved after the Sectional Map Amendment of June 11, 1996, and each successor in interest; and
 - owners of existing commercial and multi-unit residential development.
3. The Director of DPWT may require traffic mitigation plans in the Greater Shady Grove TMD in accordance with Section 42A-24 of the County Code.
4. Under authority of Section 42A-23(e) of the County Code, a Greater Shady Grove Transportation Management District Advisory Committee will be appointed by the Executive and confirmed by the Council, according to a structure to be designated by Executive Regulation.

This is a correct copy of Council action.

Linda M. Lauer
Clerk of the Council

APPENDIX A TO COUNCIL RESOLUTION
BOUNDARIES OF THE PROPOSED GREATER SHADY GROVE TRANSPORTATION
MANAGEMENT DISTRICT

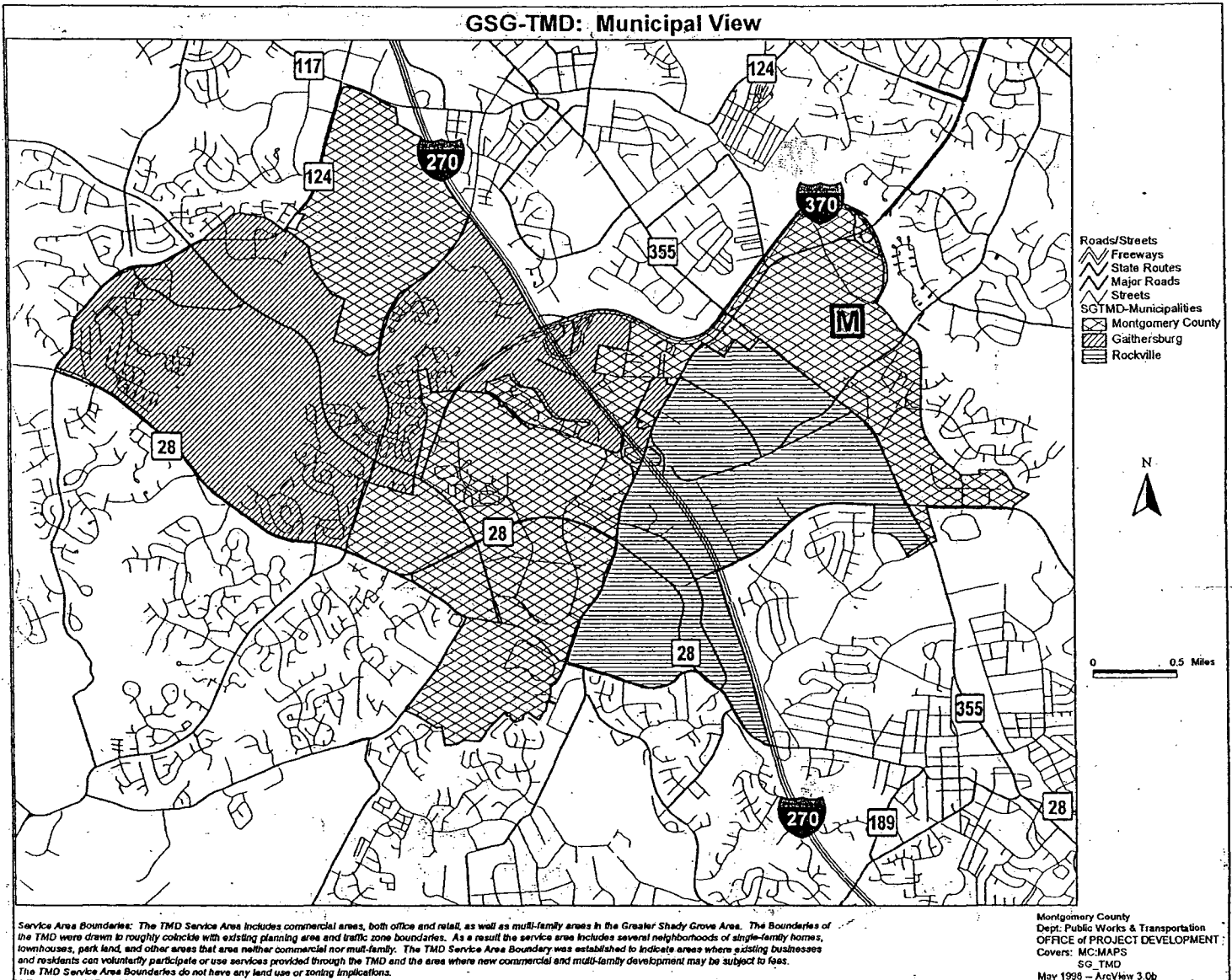
*[Pending revisions to indicate final boundaries, including addition of Casey development
near intersection of MD 355 and I-370.]*

Beginning at a point on the west line of I-270 at its intersection with the west line of Muddy Branch Road and running southeast along the west line of I-270 to its intersection with the north line of I-370; then east along the north line of I-370 to its intersection with Shady Grove Road; continuing along the east line of I-370 to its intersection with the north line of Crabbs Branch Way; then southeast along the east line of Crabbs Branch Way to its intersection with the south line of Redland Road; then southwest along the south line of Redland Road to its intersection with the east line of the CSX railroad tracks; then south along the east line of the CSX tracks to its intersection with the south line of East Gude Drive; then west along the south line of East Gude Drive to the intersection of MD 355 and Gude Drive; continuing westward along the south line of West Gude Drive to its intersection with the west line of I-270; then south along the west line of I-270 to its intersection with the south line of Darnestown Road (following boundary of Traffic Zone #181); then northwest along the south line of Darnestown Road to its intersection with the east line of the Shady Grove Road Extended right-of-way; then following the east line of the Shady Grove Road Extended right-of-way to its intersection with the eastern boundary of Parcel P600; then following the eastern boundary of Parcel P600 along its boundary with Subdivision 502 (Hunting Hills Estates) to the point of intersection between the boundaries of Parcel P600, Subdivision 502, and Subdivision 87 (Willows of Potomac); then westwards along the south boundary of Parcel P600, contiguous to Subdivision 87 (Willows of Potomac), to the intersection of the boundaries of Parcel P600 and Subdivision 87 with the west line of the Shady Grove Road Extended right-of-way; then continuing along the south boundary of Parcel P885 and taking a direct line to the west line of Travilah Road; then following the west line of Travilah Road to its intersection with the south line of Darnestown Road; then westward along the south line of Darnestown Road to its intersection with the west line of Quince Orchard Road (following boundaries of Traffic Zones 219, 220, 221, and 222); then northeast along the west line of Quince Orchard Road to its intersection with the east line of Great Seneca Highway; then following the north line of Quince Orchard Road to a direct line to the north line of Dosh Drive, continuing along the north line of Dosh Drive to its intersection with the east line of Quince Orchard Road; then northeast following the east line of Quince Orchard Road to its intersection with south line of Parcel P067; then continuing along the south edge of Parcel P067 and the western edge of NIST to its intersection with the east boundary of Parcel P067 and the western boundary of NIST; continuing in a northeast line along the NIST boundary to its intersection the northern edge of Parcel P015; then continuing west along the northern edge of Parcel P015 to its intersection with the east line of Quince Orchard Road; then proceeding northeast along the eastern edge of Quince Orchard Road to its intersection with the south edge of Clopper Road and the northern boundary of NIST (following the boundary of Traffic Zone 225); then continuing southeast along the northern edge of NIST to its intersection with east edge of NIST and the west edge of I-270 (following the boundary of Traffic Zone 225); then proceeding south south-east along the eastern edge of NIST to the point of beginning which is at the west line of I-270 at its intersection with the west line of Muddy Branch Road (following the boundary of Traffic Zone 225).

There shall also be included in the foregoing described area any lot partially within and partially without such area zoned for commercial use.

BOUNDARIES OF PROPOSED GREATER SHADY GROVE TRANSPORTATION MANAGEMENT DISTRICT (GSGTMD)

*(Pending revisions to indicate final boundaries, including addition of Casey development
near intersection of MD 355 and I-370)*



Testimony from the Montgomery County Park and Planning Department

Public Hearing on the County Council Resolution to establish the Greater Shady Grove Transportation Management District

December 6, 2005

The Park and Planning Department staff is pleased to testify in support of this resolution establishing the Greater Shady Grove Transportation Management District. Bringing about this district is long overdue and the Planning Board and its staff look forward to working with the County Council and the County Executive to finally achieve this milestone in transportation policy for this area of the County.

Establishing a Greater Shady Grove TMD would fulfill a long-standing promise to residents and business leaders in this area of the County to improve traffic conditions by enhancing non-automobile transportation programs and services. We applaud the Council and the Executive for resuscitating the effort. A TMD of some shape and function is needed in this area of the County and the timing is good as the Council hopefully moves toward approving the Shady Grove Sector Plan.

Along with this overall endorsement of the bill we would like to highlight three topics that we feel should be more fully developed over the coming weeks and addressed during the Council committee worksessions next year.

1. DPWT Staffing and Funding

Your Park and Planning staff regularly works with County DPWT staff on all matters related to transportation demand management and traffic mitigation. In our opinion current staffing levels in the Commuter Services Section of DPWT's Division of Transit Services, which administers and/or operates the other four TMDs in the County, are inadequate to carry out all the tasks required of them by County laws and regulations. The Greater Shady Grove TMD as proposed will be the County's fifth TMD and the largest by a wide margin. As the Council deliberates creating the County's fifth TMD, we ask you to concurrently consider the related staffing impacts and budget. We urge the Council to insure that there are sufficient funds in the Commuter Services budget to support enough staff members so that all programs and services related to transportation demand management and traffic mitigation can be effectively and efficiently delivered to the public.

2. Steps Required to Get the TMD Up and Running

The Council and the Executive branch should develop a detailed draft action plan for establishing the TMD and making it operational. As part of this effort, a draft of the executive regulation that actually sets up the TMD should be available for public review prior to the initial Council Committee work session. The Council could then provide guidance to the Executive branch on critical issues such as budget, staffing levels, structure and composition of the TMD advisory board and highlight general tasks expected of both the staff and the board. Identifying such issues and making them public prior to the initial work session will aid in obtaining the necessary public, municipal and business support and buy-in to make this effort successful, and add the Council weight behind the different aspects of the plan as they are implemented.

3. TMD Boundaries.

Planning Board staff has two concerns relating to the CBD boundary in the draft resolution. First, the County Council's actions on both the TMD and the Shady Grove Sector Plan should be consistent. The draft resolution reflects both the Executive branch intent to provide consistency as well as the fact that further coordination is needed to ensure consistency. Staff is confident that this coordination can be completed during the next several weeks through minor changes to either the TMD boundary or the TMD description in the Shady Grove Sector Plan. Second, it appears that minor technical revisions to the boundary description may be needed to ensure that all points of reference are consistent with recent subdivisions. We look forward to working with your staff on that review in preparation for the Council Committee worksession.

As always, we are available to provide whatever technical assistance may be required during Council preparation and deliberations for this resolution. Thank you for the opportunity to testify.

Resolution No. _____

Introduced: _____

Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Executive and County Council

Subject: Establishment of a Transportation Management District in Greater Shady Grove with the Authority Given to Charge a Transportation Management Fee on New or Existing Development

Background

1. Montgomery County Code, 2004 as amended, sections 42A - 10 through 30 provides for transportation management in Metro Station Areas and authorizes the County to create Transportation Management Districts (TMDs). These provisions allow flexibility in terms of establishing boundaries to include Metro station planning areas, appointing advisory committees, reporting annual performance of TMDs, and financing of TMD activities.
2. Section 42A-22 of the Montgomery County Code provides that new development is important to stimulate the local economy and that focusing new development in highly transit serviceable areas is a County land use and economic development objective. Transportation demand management will help provide sufficient transportation capacity, reduce the demand for roads, promote traffic safety and pedestrian access, and help reduce vehicular emissions, energy consumption, and noise levels. Transportation demand management will also equitably allocate responsibility for reducing single-occupancy vehicle trips among government, employers, property owners, and the public.
3. In 1996, Council directed the creation of a TMD in the Shady Grove vicinity as part of its Shady Grove Sectional Map Amendment process. Planning Commission staff recommended TMD boundaries follow those of the Shady Grove Study Area Master Plan of 1990 and include new development in Rockville and Gaithersburg. These boundaries included the Shady Grove Metro Station Policy Area and the R & D Village Policy Area and major areas of commercial development. Planning Commission staff also recommended an initial program of services including carpool/vanpool matching, a

transportation demand management educational outreach program with employers and building owners, and monitoring. This resolution implements the Council's directive.

4. The Department of Public Works and Transportation (DPWT) conducted extensive background work for establishment of the Greater Shady Grove TMD. Public forums and briefings were held with the business community, civic representatives, and members of the general community to explain TMD purposes and operations and to apprise them of the progress in implementing the TMD for Shady Grove. Elected officials and appropriate staff from the County, and the cities of Gaithersburg and Rockville were also briefed on several occasions. Negotiations were conducted over an extended period of time with representatives of both municipalities regarding participation in the proposed TMD, including operational and funding mechanisms.
5. The Department of Public Works and Transportation (DPWT) may use a Transportation Management Organization (TMO) to assist it in providing services to implement transportation demand management. In addition to use of the fees authorized in this resolution, the Department may provide additional revenues from other sources to fund these services. The level of transportation management demand services in the Greater Shady Grove TMD will be provided in accordance with the amount of funds available to pay for the services. It is expected that as development, and corresponding revenues, in the TMD increase, the level of services provided will also increase.
6. While the cities of Gaithersburg and Rockville are included within the boundaries of the Greater Shady Grove TMD, their participation in the TMD is intended to be reflected in agreements with each municipality. TMD services will only be provided within the municipalities to the extent that they have entered into agreements with the County and paid their proportionate share of the costs of such services.
7. Montgomery County Code 2004, as amended, Section 42A-24 enables the Council to authorize use of traffic mitigation plans in a TMD. This resolution authorizes the Director of DPWT to require the submission of traffic mitigation plans.
8. DPWT and the Planning Board may jointly impose reasonable transportation demand management measures as conditions on the Board's approval of development in the Greater Shady Grove TMD. These measures can include the requirement of traffic mitigation agreements in accordance with Chapter 42A of the County Code.
9. The TMO must annually monitor transportation demand management in the Greater Shady Grove TMD. A biennial report must be submitted by the TMO to the Director of DPWT by December 1 of each even-numbered year. The Director of DPWT must transmit the report to the Executive, the Greater Shady Grove Transportation Management Advisory Committee, and the Planning Board pursuant to Sector 42A-27 of the County Code, 2004, as amended. The Director of DPWT may recommend to the Executive corrective action if any peak period (the three hours of highest transportation use in the morning and evening) commuting goals set forth in the Annual Growth Policy are not met within a reasonable period of time after the establishment of the TMD.

Action

The County Council for Montgomery County, Maryland, approves the following resolution:

1. Under Chapter 42A-23 of the Montgomery County Code, 2004 as amended, the Greater Shady Grove Transportation Management District (TMD) is established. Its boundaries include the Shady Grove Metro Station Policy Area as well as the R&D Village Policy area and portions of the cities of Rockville and Gaithersburg. Boundary lines are defined on Attachment A of this resolution.
2. Pursuant to Section 42A-29(a)(1) and (2) of the Code, the Department of Public Works and Transportation (DPWT) is hereby authorized to charge a Transportation Management Fee in the Greater Shady Grove TMD to:

all applicants who file an application for subdivision or optional method development approval in the Greater Shady Grove TMD under the Alternative Review Procedures in the Annual Growth Policy, and each successor in interest; and

all applicants for subdivision or optional method development approved after the Sectional Map Amendment of June 11, 1996, and each successor in interest; and

owners of existing commercial and multi-unit residential development.

3. The Director of DPWT may require traffic mitigation plans in the Greater Shady Grove TMD in accordance with Section 42A-24 of the County Code.
4. Under authority of Section 42A-23(e) of the County Code, a Greater Shady Grove Transportation Management District Advisory Committee will be appointed by the Executive and confirmed by the Council, according to a structure to be designated by Executive Regulation.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

APPENDIX A

BOUNDARIES OF THE GREATER SHADY GROVE TRANSPORTATION MANAGEMENT DISTRICT

Beginning at a point on the west line of I-270 at its intersection with the west line of Muddy Branch Road and running southeast along the west line of I-270 to its intersection with the north line of I-370;

then east along the north line of I-370 to its intersection with the western boundary of Parcel "C" (N881) as shown on Plat 9659;

then in a northeasterly direction along the western boundaries of Parcel "C" (N881), the Right of Way of Nancy Place, and Parcel "B" (N738) to the west boundary of the Right of Way of Frederick Road (MD 355) as shown on Plat 9659;

then crossing directly Frederick Road (MD 355) to the southwestern-boundary of the remainder of Parcel "D" as shown on Plat 20275,

then continuing along the Right of Way line of I-370 in a southeasterly direction to the south corner of the remainder of Parcel "D" (Plat 20275), then continuing in a northeasterly direction along the Right of Way line of I-370 to the south line of Parcel P385;

then northerly along the west boundary of Parcel P385, Parcel K (N327), Parcel P266, Parcel E (N211), Parcel G (000), and Parcels P103, P048, N007, N977, P925, and P913;

then northerly along the west boundary of Parcel K (N327), Parcel P266, Parcel E (N211), Parcel G (000), and Parcels P103, P048, N007, N977, P925, and P913;

then continuing northeasterly along the western boundary of Parcel P871 and north along the west boundary of Parcel P817;

continuing in a northern direction along the west boundary of Parcel P762;

continuing easterly along the northwest boundary of Parcel P762;

then crossing directly Oakmont Road and the CSX Railroad to the western-most corner of Parcel P747;

continuing northeast along the northwest boundary of Parcel P747;

then southeast along the northeast boundary of Parcels P747, Parcel P743 and Parcel P131;

continuing in a southerly direction along the east arc boundary of Parcel P131 to Parcel N730;

then running in a southerly direction along the west boundary of Parcel N730 to the north line of I-370;

then east along the north line of I-370 to its intersection with Shady Grove Road;
continuing along the east line of I-370 to its intersection with the north line of Crabbs Branch Way;

then southeast along the east line of Crabbs Branch Way to its intersection with the north boundary of Parcel 'N' (Plat 14070);

then running east along the north boundary of Parcel 'N';

continuing south along the east boundary of Parcels 'N', 'M' (Plat 14070) and 'A' (Plat 13887) to the southeast boundary of Parcel 'A';

then crossing Monona Drive directly to the northwest corner of Parcel P960;

then running east along the north and northeast boundaries of Parcel P960 to the intersection with north boundary of Parcel N075;

then running in an east and southerly direction with the north boundaries of Parcels N075 and N136;

then running southwest with the southeast boundary of Parcel N136 to the northern line of Gude Drive East;

continuing in a direct line across Gude Drive East to the northwest corner of Parcel N353 at the south line of Gude Drive East;

then west along the south line of Gude Drive East to the intersection with the east line of the CSX Railroad tracks;

then south along the east line of the CSX Railroad tracks to an extension of the north line of College Parkway;

then following the extension of the north line of College Parkway in a southwesterly direction to the north line of Rutgers Street;

then following the north line of Rutgers Street to the east line of Yale Place;

then following the east line of Yale Place to the south line of Gude Drive West;

continuing westward along the south line of Gude Drive West to its intersection with the west line of I-270;

then south along the west line of I-270 to its intersection with the west line of West Montgomery Avenue;

then following the west line of West Montgomery Avenue in a northerly direction to the south line of Darnestown Road;

then west along the south line of Darnestown Road to its intersection with the east line of Shady Grove Road;

then following the east line of Shady Grove Road to its intersection with the eastern boundary of Parcel P781;

then following the eastern boundary of Parcels P781 and P840 in a southerly direction;

then continuing along the south boundaries of Parcel P840 to its intersection with the east line of Willow Tree Drive;

then following the east line of Willow Tree Drive north to a point directly opposite the southeast corner of Lot 214 of Willows of Potomac, Block D (Plat 18778);

then following directly across Willow Tree Drive to the above-referenced point;

then continuing along the east boundary of Lot 214 described above;

continuing along the southeastern boundary of Traville, Block B, Parcel E (N850) (Plat 22293) to its intersection with Traville, Block B, Parcel D (N983), also shown on Plat 22293;

then following the boundary of Parcel D in a south and westerly direction to the intersection with Parcel N862;

continuing in a westerly direction along the southern boundary of Parcel N862;

then north and west along the west boundaries to the east line of Shady Grove Road;

then following a direct line across Shady Grove Road to the southeast point of Parcel P836 at the west line of Shady Grove Road;

continuing northwest on the south boundary of Parcel P836 to the west boundary;

then following the west boundary in a northerly direction to its intersection with Parcel P834;

continuing in a westerly direction along the south boundary of Parcel P834 to its west boundary;

then northerly along the west boundary to Parcel N777;

then westerly along the south boundary of Parcel N777 to the east line of Travilah Road;

then following directly an extension of the south boundary of Parcel N777 to a point on the west line of Travilah Road;

then following the west line of Travilah Road to its intersection with the south line of Darnestown Road;

then westward along the south line of Darnestown Road to its intersection with the west line of Quince Orchard Road;

then northeast along the west line of Quince Orchard Road to its intersection with the east line of Great Seneca Highway;

then following the north line of Quince Orchard Road to a direct line to the north line of Dosh Drive, continuing along the north line of Dosh Drive to its intersection with the east line of Quince Orchard Road;

then northeast following the east line of Quince Orchard Road to its intersection with the south line of Parcel P067;

then continuing along the south boundaries of Parcels P067 and P95 and the western edge of NIST to its intersection with the east boundary of Parcel P95 and the western boundary of NIST;

continuing in a northeast line along the NIST boundary to its intersection with the northern boundary of Parcel P015;

then continuing west along the northern boundary of Parcel P015 to its intersection with the east line of Quince Orchard Road;

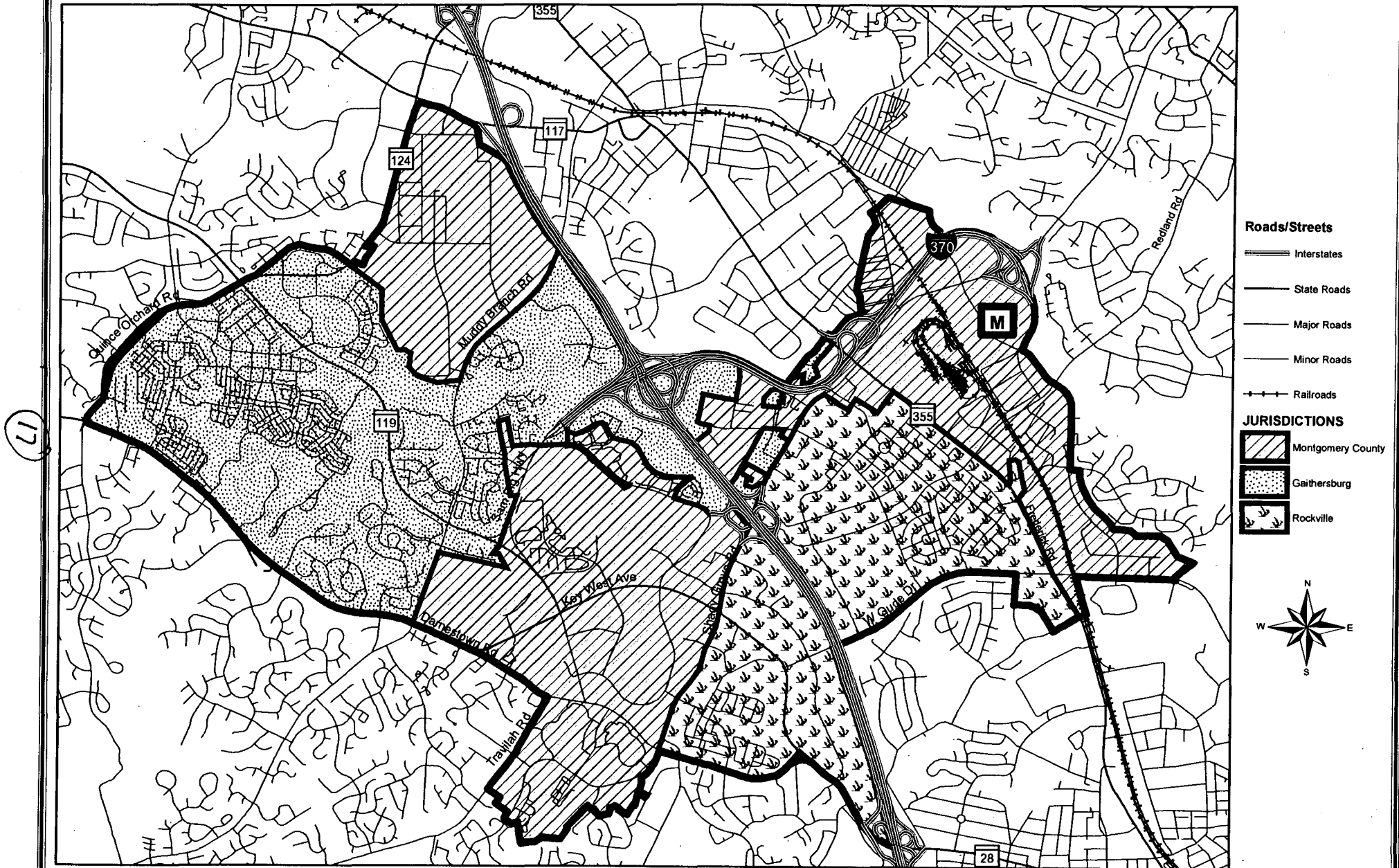
then proceeding northeast along the east line of Quince Orchard Road to its intersection with the south line of Diamond Avenue and the northern boundary of NIST;

then continuing southeast along the northern boundary of NIST to its intersection with the east boundary of NIST and the west line of I-270 ;

then proceeding south along the eastern boundary of NIST to the point of beginning, which is at the west line of I-270 at its intersection with the west line of Muddy Branch Road.

There shall also be included in the foregoing described area any lot partially within and partially without such area that is zoned for commercial or multi-unit residential use.

Greater Shady Grove Transportation Management District (TMD)



The Greater Shady Grove TMD includes properties within Montgomery County as well as the cities of Rockville and Gaithersburg. TMD services will be provided within the Cities of Rockville and Gaithersburg to the extent that each municipality enters into financial agreements with Montgomery County. Commercial and residential developments will be subject to the laws of each municipality with regard to TMD participation.

Montgomery County
Department of Public Works & Transportation
Office of Project Development
February 28, 2006